

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**  
**for SEPTEMBER 1, 2004 PLANNING COMMISSION MEETING**

**P.A.S.:** Special Permit 1654B Pine Lake Heights

**PROPOSAL:** To amend the Special Permit to reduce the rear yard setback from 22 feet to 15 feet to allow a garage with a deck above on Lot 14, Block 1, Pine Lake Heights 6<sup>th</sup> Addition.

**LOCATION:** 3500 Pela Verde Circle

**WAIVER REQUEST:**  
Reduce the rear yard setback

**CONCLUSION:** The reduction in the rear yard for a portion of a deck should not have a negative impact on the adjacent property.

<b><u>RECOMMENDATION:</u></b>	Conditional Approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 14, Block 1, Pine Lake Heights 6<sup>th</sup> Addition, Lincoln, Lancaster County, Nebraska

**EXISTING ZONING:** R-3 Residential with a C.U.P.

**EXISTING LAND USE:** Single family house

**SURROUNDING LAND USE AND ZONING:**

North:	R-3	Residential
South:	R-3	Residential
East:	R-3	Residential
West:	R-3	Residential

**HISTORY:**

**October 6, 2003** Special Permit #643E, Briarhurst West CUP to reduce the rear yard setback for a deck was approved by City Council.

<b>October 6, 2003</b>	Special Permit 572F, Thomasbrook Apartments CUP, to reduce the rear yard setback to enclose a patio was approved by City Council.
<b>August 31, 1998</b>	Special Permit 1654A- Pine Lake Heights 1 <sup>st</sup> Community Unit Plan was approved by City Council
<b>March 3, 1997</b>	Special Permit 1654-Pine Lake Heights Community Unit Plan was approved by City Council
<b>December 6, 1995</b>	Pine Lake Heights 6 <sup>th</sup> Addition final plat was approved by the Planning Commission.
<b>June 28, 1993</b>	Pine Lake Heights preliminary plat was approved by City Council.

**COMPREHENSIVE PLAN SPECIFICATIONS:** This area is shown as Urban Residential in the 2025 Comprehensive Plan. (F-25).

**ANALYSIS:**

1. This is a request to reduce the rear yard setback from 22 feet 6 inches to 15 feet for a deck and garage.
2. The applicant has requested a reduction in the rear yard across the entire rear yard. Only a portion of the deck (approximately 15'6" x 5'4" ) encroaches into the rear yard. The reduction to the rear yard should only include that area of the deck that extends into the required rear yard. ( see attached drawing)
3. Reduction in required yard setbacks are commonly granted when Community Unit Plans are approved. Several amendments to CUP's to reduce the required rear yard setback have been approved.
4. Provided the abutting property owner does not object, planning staff does not object to this request.

**CONDITIONS:**

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Show a building envelope around the proposed deck/garage and stairs on the site plan. The deck/garage and stairs shall not exceed the building envelope.
- 1.2 Identify the lot lines on the site plan.
- 1.3 Identify the stairs from the deck. The stairs must be within the building envelope.
2. Submit documentation that the abutting property owner to the north does not object to this application.
3. This approval permits a reduction in the rear yard setback for a portion of a deck as shown on the approved site plan.

Prepared by:

Tom Cajka

**DATE:** August 17, 2004

**APPLICANT:** Ross & Kara Parde  
3500 Pela Verde Cir  
Lincoln, NE 68516

**OWNER:** same as applicant

**CONTACT:** same as applicant



2002 aerial

## Special Permit #1654B 3500 Pela Verde Circle

### Zoning:

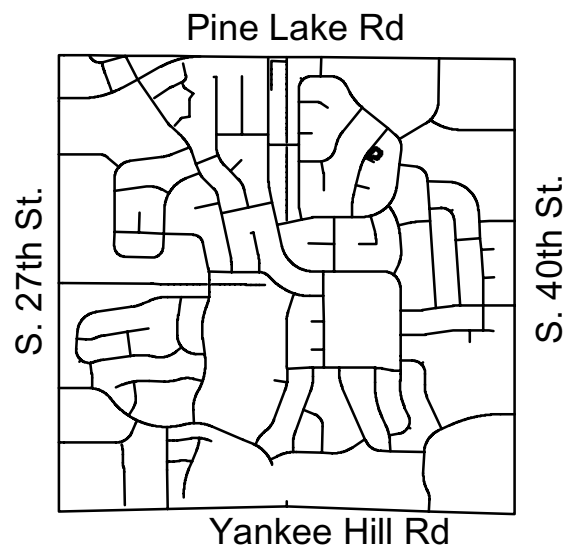
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile  
Sec. 19 T9N R7E



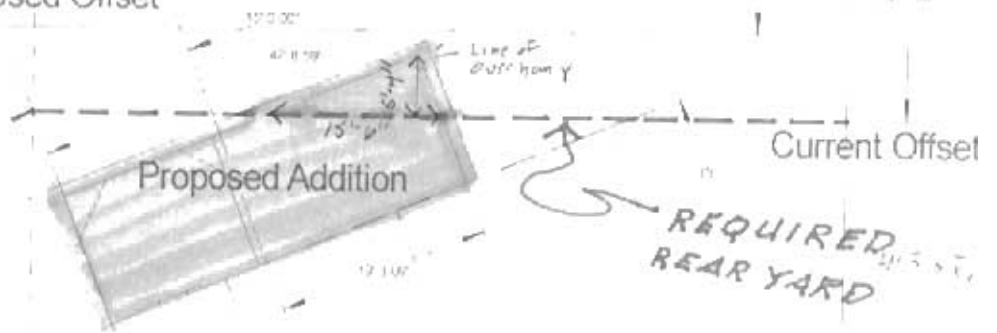
Zoning Jurisdiction Lines

City Limit Jurisdiction



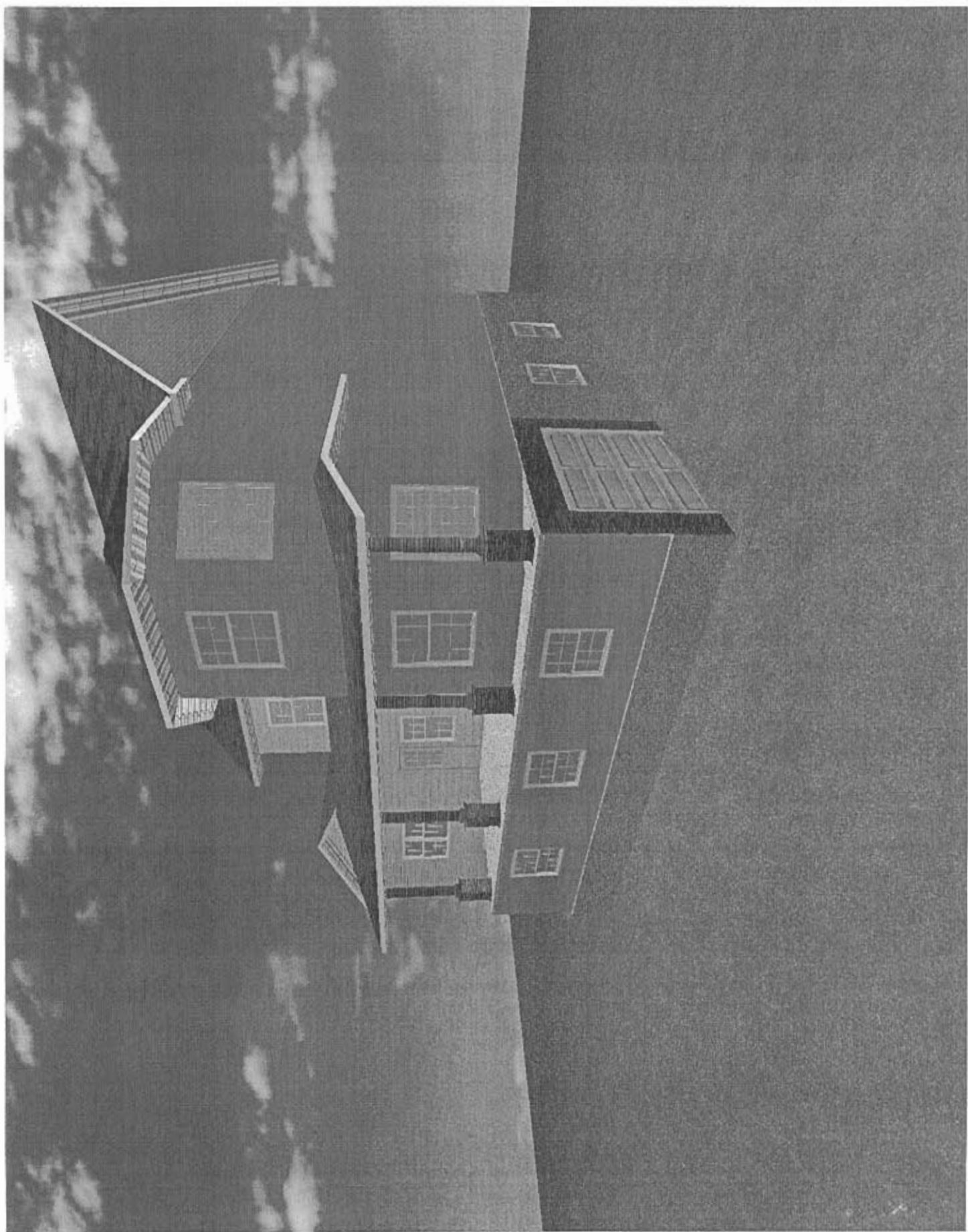
Lincoln City - Lancaster County Planning Dept.

Proposed Offset



RECEIVED

AUG 4 2004





CASA GRANDE

LANE

PHOENIX

DR.

BLK 6

P.O.B.

UTILITY EASEMENT  
TYPICAL

OUTLOT "A"

Area = 13.88 Acres

RESERVED FOR THE FUTURE  
AFTER PLATTING AND SUBDIVISION  
(WITH THE APPROVED PRELIMINARY  
WITH THE CITY OF LINCOLN)

10' BUILDING  
SETBACK LINE

5' PEDESTRIAN  
EASEMENT

10' BUILDING  
SETBACK LINE

UTILITY EASEMENT  
TYPICAL

N 28°50'52" E  
150.07

N 39°26'49" E  
271.10

PELA STREET

CIR. VERDE

MESQUITE  
CIR.

292.00  
S 07°13'12" W

BLOCK 2

BLOCK 1

BLK 4

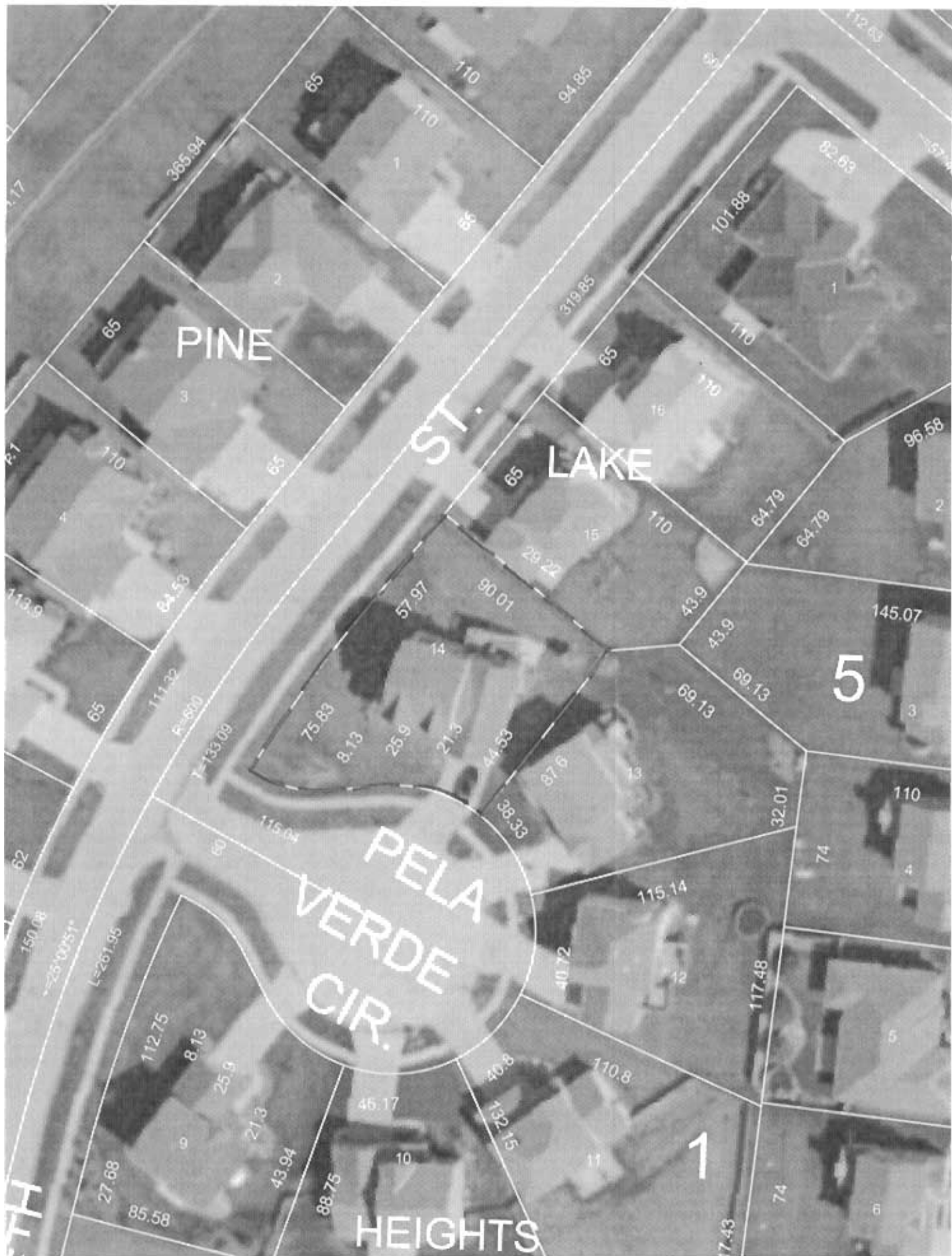
BLK 5

E

W

W

W





8-4-04

As homeowner and resident I respectfully request that the board consider this proposal to change the rear yard offset to 15'-0" from 22.1' for the property on Lot 14, Block 1, Pine Lake Heights 6<sup>th</sup> Addition, Lincoln, Lancaster County, Nebraska.



Ross A. Parde  
3500 Pela Verde Cir.  
Lincoln, NE 68516  
423-6035

